

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

FABIAN MENDEZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C13-5707 BHS
CR10-5723BHS

ORDER REQUIRING ANSWER

This matter comes before the Court on the Petitioner's Motion to Vacate, Set
Aside or Correct Sentence pursuant to 28 U.S.C. § 2255(a).

It is hereby ORDERED THAT:

1. The United States shall file and serve an answer in accordance with Rule 5
of the Rules Governing § 2255 Cases in the United States District Courts not later than
September 27, 2013. As part of such answer, The United States should state its position
as to whether an evidentiary hearing is necessary and whether there is any issue as to
abuse or delay under Rule 9.

1 2. Any reply by Petitioner shall be filed and served on or before October 11,
2 2013, and the Clerk shall note the 2255 motion on the Court's calendar for October 11,
3 2013.

4 Dated this 21st day of August, 2013.

5
6 

7 BENJAMIN H. SETTLE
8 United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22